

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	: Brandyn Webb, et al.	Art Unit	: 2153
Serial No.	: 09/788,526	Examiner	: Lashanya Renee Nash
Filed	: February 21, 2001	Conf. No.	: 7931
Title	: POPULATING ONLINE FORUMS		

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**APPLICATION FOR PATENT TERM ADJUSTMENT UNDER 37 CFR §1.705(B)**

The applicant hereby petitions for reconsideration of the Patent Term Adjustment (PTA) accorded the above-referenced patent application. Attached herewith is a copy of the Notice of Allowance including a Determination of Patent Term Adjustment under 35 U.S.C. § 154(b), mailed May 6, 2008 (Exhibit A), for the above-referenced application. The Notice of Allowance states that the Patent Term Adjustment at allowance is 921 days. Correction of the Patent Term Adjustment calculation to increase the PTO delay from 957 days to 960 days, adjusting the total PTA from 921 days to 924 days, is respectfully requested.

**I. REVIEW OF PATENT TERM ADJUSTMENT CALCULATION**

A review of the Patent Term Adjustment History in the PAIR/PALM system shows that the United States Patent and Trademark Office (PTO) calculated the applicant delay as 36 days. The applicant concurs with this calculation.

A review of the Patent Term Adjustment History in the PAIR/PALM system shows that the United States Patent and Trademark Office (PTO) calculated the PTO delay as 957 days. The applicant respectfully disagrees with this calculation.

**II. CALCULATION OF APPLICANT DELAY**

A review of the Patent Term Adjustment History in the PAIR/PALM system shows that the United States Patent and Trademark Office (PTO) calculated the applicant delay as 36 days. The applicant agrees with the PTO's calculation of the applicant delay.

### **III. CALCULATION OF PTO DELAY**

The applicant electronically filed a Request for Continuing Examination on October 4, 2007 (Exhibit B). As is evidenced by the Electronic Acknowledgement Receipt, this was received by the USPTO on October 4, 2007.

The PTO mailed a Notice of Allowance on May 6, 2008 (Exhibit A).

A review of the Patent Term Adjustment History in the PAIR/PALM system (Exhibit C) shows the date of receipt of the Request for Continuing Examination as October 7, 2007, and not October 4, 2007, as shown on the Electronic Filing Receipt, and that 3 day error caused a three day error in the calculation of PTO delay associated with the mailing of the Notice of Allowance on May 6, 2008. Accordingly, the correct PTO delay associated with the mailing of the Notice of Allowance should be 92 days, and not 89 days as shown on the Patent Term Adjustment History in the PAIR/PALM system (Exhibit C).

Accordingly, correction of the Patent Term Adjustment calculation to increase the total PTO delay from 957 days to 960 days is respectfully requested.

### **IV. DOCUMENTS ENCLOSED**

A copy of each of the following documents is provided herein:

- 1) Copy of the Notice of Allowance mailed May 6, 2008 (Exhibit A);
- 2) Copy of the Request for Continuing Examination electronically filed on October 4, 2007 (Exhibit B);
- 3) Patent Term Adjustment History in the PAIR/PALM system (Exhibit C).

**V. REMARKS**

In consideration of the events described above, the applicant believes the Total PTA calculation of 921 days is incorrect. The applicant respectfully requests recalculation of the patent term adjustment to reflect that the total PTO delay is 960 days, resulting in an increase of the Total PTA from 921 days to 924 days.

Please charge the petition fee of \$200 required under 37 CFR §1.18(e), and apply any additional charges or credits to our Deposit Account No. 06-1050.

Respectfully submitted,

Date: August 6, 2008

/Brian J. Gustafson/  
Brian J. Gustafson  
Reg. No. 52,978

**Customer Number: 21876**  
Fish & Richardson P.C.  
Telephone: (650) 839-5070  
Facsimile: (877) 769-7945

# EXHIBIT A



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

## NOTICE OF ALLOWANCE AND FEE(S) DUE

21876 7590 05/06/2008  
FISH & RICHARDSON P.C.  
P.O. Box 1022  
MINNEAPOLIS, MN 55440-1022

EXAMINER	
NASH, LASHANYA RENEE	
ART UNIT	PAPER NUMBER
2153	
DATE MAILED: 05/06/2008	

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO
09/788,526	02/21/2001	Brandyn Webb	07844-478001/ P442	7931

TITLE OF INVENTION: POPULATING ONLINE FORUMS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1440	\$300	\$0	\$1740	08/06/2008

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN **THREE MONTHS** FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. **THIS STATUTORY PERIOD CANNOT BE EXTENDED.** SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

### HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER:** Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

# **PART B - FEE(S) TRANSMITTAL**

Complete and send this form, together with applicable fee(s), to: **Mail** **Mail Stop ISSUE FEE**  
**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, Virginia 22313-1450**  
**or Fax (571)-273-2885**

**INSTRUCTIONS:** This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

21876 7590 05/06/2008

FISH & RICHARDSON P.C.  
P.O. Box 1022  
MINNEAPOLIS, MN 55440-1022

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

## **Certificate of Mailing or Transmission**

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/788,526	02/21/2001	Brandyn Webb	07844-478001/ P442	7931

TITLE OF INVENTION: POPULATING ONLINE FORUMS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1440	\$300	\$0	\$1740	08/06/2008

EXAMINER	ART UNIT	CLASS-SUBCLASS
NASH, LASHANYA RENEE	2153	709-205000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363)

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
- ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 \_\_\_\_\_
- (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 \_\_\_\_\_
- 3 \_\_\_\_\_

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.111. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee
- ☐ Publication Fee (No small entity discount permitted)
- ☐ Advance Order - # of Copies \_\_\_\_\_

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number \_\_\_\_\_ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature \_\_\_\_\_

Date \_\_\_\_\_

Typed or printed name \_\_\_\_\_

Registration No. \_\_\_\_\_

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/788,526	02/21/2001	Brandyn Webb	07844-478001/ P442	7931
21876	7590	05/06/2008		
FISH & RICHARDSON P.C. P.O. Box 1022 MINNEAPOLIS, MN 55440-1022				
EXAMINER NASH, LASHANYA RENEE				
ART UNIT			PAPER NUMBER	
2153				
DATE MAILED: 05/06/2008				

## Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 921 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 921 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

**Notice of Allowability**

Application No.

09/788,526

Applicant(s)

WEBB ET AL.

Examiner

LASHANYA R. NASH

Art Unit

2153

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to a request for continued examination filed 10/4/07.
2. ☒ The allowed claim(s) is/are 1-30 and 35-50.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
**GLENON B. BURGESS**  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100



## **DETAILED ACTION**

This notice of allowance is responsive to the request for continued examination filed 2007. Claims 1-30 and 35-50 are presented for further consideration.

### ***Response to Arguments***

Examiner notes Applicant's amendments which incorporate limitations regarding reserving a headroom (i.e. extra capacity) in forums, exclusively available to users having an interactive relationship with a user already in the forum. In light of Applicant's amendments, as suggested by Examiner, arguments regarding claims 1-30 and 35-50 rejected under 35 USC §103 have been fully considered and are persuasive. The rejections of the claims have been withdrawn.

### ***Allowable Subject Matter***

Claims 1-30 and 35-50 are allowed. Pursuant to 37 CFR 1.109 and MPEP 1302.14, the following is an Examiner's Statement of Reasons Allowance.

### **Reasons for Allowance**

Claims 1, 16, 39, 40, 43 and 46 are directed towards a patentably distinguishable method, system and computer-readable storage medium for populating online forums, and when an instance of the forum is considered full, determining whether a extra capacity, or headroom, is available in order to place users with special designations or interactive relationships. Applicable prior art discloses creating clones of online forums,

placing users in forums based on interactive relationships, and limiting the number of users of online forums to a maximum limit, as set forth below in detail throughout the previous office actions. However, Examiner asserts that the prior art of record fails to teach or suggest the Applicant's feature which provides a headroom above the determined maximum of the online forum allowing an entering user related to a current user entrance into the forum. Therefore, the Examiner asserts that this feature is patentably distinct and non-obvious over the prior art.

Claims 35, 36, 47, 48, 49 and 50 are directed towards a patentably distinguishable method, system and computer readable storage medium for populating graphical 3D virtual worlds with users represented as moving avatars and when an instance of the forum is considered full, determining whether a extra capacity, or headroom, is available in order to place users with special designations or interactive relationships. Applicable prior art disclosed creating clones of online forums, placing users in forums based on interactive relationships, limiting the number of users of online forums based on interactive relationships, limiting the number of users of online forums to a maximum limit, and 3D virtual worlds with users represented as moving avatars, as set forth in detail throughout the previous Office actions. However, Examiner asserts that the prior art of record fails to teach or suggest Applicant's feature which provides a headroom above the determined maximum of the online forum allowing an entering user related to a current user entrance into the forum. Therefore, Examiner asserts that this feature is patentably distinct and non-obvious over the prior art.


### **Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LaShanya R. Nash whose telephone number is (571) 272-3957. The examiner can normally be reached on 9am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton Burgess can be reached on (571) 272-3949. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/LaShanya R Nash/  
Examiner, Art Unit 2153  
December 21, 2007

  
GLENTON B. BURGESS  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100

<b>Notice of References Cited</b>	Application/Control No. 09/788,526	Applicant(s)/Patent Under Reexamination WEBB ET AL.	
	Examiner LASHANYA R. NASH	Art Unit 2153	Page 1 of 1

**U.S. PATENT DOCUMENTS**

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-2005/0004984	01-2005	Simpson, Anita Hogans	709/205
	B	US-			
	C	US-			
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

**FOREIGN PATENT DOCUMENTS**

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

**NON-PATENT DOCUMENTS**

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

\*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)  
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

# EXHIBIT B

<b>Request For Continued Examination (RCE) Transmittal</b>  Address to: Mail Stop RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	<i>Application Number</i>	09/788,526
	<i>Filing Date</i>	February 21, 2001
	<i>First Named Inventor</i>	Brandyn Webb, et al.
	<i>Group Art Unit</i>	2153
	<i>Conf No.</i>	7931
	<i>Examiner Name</i>	Lashanya Renee Nash
	<i>Attorney Docket Number</i>	07844-478001

**This is a Request for Continued Examination (RCE) under 37 C.F.R. §1.114 of the above-identified application.**  
 Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 C.F.R. §1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s)

a. ☒ Previously submitted. If a final Office action is outstanding, any amendment filed after the final Office action may be considered as a submission even if this box is not checked.

☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_

ii. ☐ Other \_\_\_\_\_

b. ☐ Enclosed

    i. ☐ Amendment/Reply

    iii. ☐ Information Disclosure Statement (IDS)

    ii. ☐ Affidavit(s)/Declaration(s)

    iv. ☐ Other \_\_\_\_\_

2. **Miscellaneous**

a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. §1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. §1.17(i) required)

b. ☐ Other \_\_\_\_\_

3. **Fee** The RCE fee under 37 C.F.R. §1.17(e) is required by 37 C.F.R. §1.114 when the RCE is filed.

a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 06-1050

    i. ☒ RCE fee required under 37 CFR 1.17(e)

    ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)

    iii. ☒ Other Any deficiencies

b. ☐ Check in the amount of \$\_\_\_\_\_ enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT REQUIRED			
<i>Name (Print/Type)</i>	Arrienne M. Lezak	<i>Registration No. (Attorney/Agent)</i>	51,943
<i>Signature</i>	/Arrienne M. Lezak/	<i>Date</i>	October 4, 2007

**CERTIFICATE OF MAILING BY EFS-WEB FILING**

I hereby certify that this paper was filed with the United States Patent and Trademark Office using the EFS-WEB system on this date:

October 4, 2007

## Electronic Acknowledgement Receipt

<b>EFS ID:</b>	2282251
<b>Application Number:</b>	09788526
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	7931
<b>Title of Invention:</b>	Populating online forums
<b>First Named Inventor/Applicant Name:</b>	Brandyn Webb
<b>Customer Number:</b>	21876
<b>Filer:</b>	Arrienne Monique Lezak/Emma Durrell
<b>Filer Authorized By:</b>	Arrienne Monique Lezak
<b>Attorney Docket Number:</b>	07844-478001/ P442
<b>Receipt Date:</b>	04-OCT-2007
<b>Filing Date:</b>	21-FEB-2001
<b>Time Stamp:</b>	19:42:20
<b>Application Type:</b>	Utility under 35 USC 111(a)

### Payment information:

Submitted with Payment	yes
Payment was successfully received in RAM	\$ 810
RAM confirmation Number	3441
Deposit Account	061050

### File Listing:

Document Number	Document Description	File Name	File Size(Bytes) /Message Digest	Multi Part /.zip	Pages (if appl.)
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1	Request for Continued Examination (RCE)	07844_478001RCE.pdf	147499 1ab3b9d55e0c249f2923c19cc433d0f532c24d6	no	1
<b>Warnings:</b>					
This is not a USPTO supplied RCE SB30 form.					
<b>Information:</b>					
2	Fee Worksheet (PTO-06)	fee-info.pdf	8164 95b147c27b1aa9c68992b53e1e74f048dd8d8a9e	no	2
<b>Warnings:</b>					
<b>Information:</b>					
<b>Total Files Size (in bytes):</b>			155663		
<p>This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.</p> <p><b><u>New Applications Under 35 U.S.C. 111</u></b>  If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</p> <p><b><u>National Stage of an International Application under 35 U.S.C. 371</u></b>  If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</p> <p><b><u>New International Application Filed with the USPTO as a Receiving Office</u></b>  If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.</p>					



## Electronic Patent Application Fee Transmittal

<b>Application Number:</b>	09788526			
<b>Filing Date:</b>	21-Feb-2001			
<b>Title of Invention:</b>	Populating online forums			
<b>First Named Inventor/Applicant Name:</b>	Brandyn Webb			
<b>Filer:</b>	Arrienne Monique Lezak/Linda Quintana			
<b>Attorney Docket Number:</b>	07844-478001/ P442			
Filed as Large Entity				
<b>Utility</b>	<b>Filing Fees</b>			
<b>Description</b>	<b>Fee Code</b>	<b>Quantity</b>	<b>Amount</b>	<b>Sub-Total in USD(\$)</b>
<b>Basic Filing:</b>				
<b>Pages:</b>				
<b>Claims:</b>				
<b>Miscellaneous-Filing:</b>				
<b>Petition:</b>				
<b>Patent-Appeals-and-Interference:</b>				
<b>Post-Allowance-and-Post-Issuance:</b>				
<b>Extension-of-Time:</b>				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
<b>Miscellaneous:</b>				
Request for continued examination	1801	1	810	810
<b>Total in USD (\$)</b>				<b>810</b>

# EXHIBIT C

09/788,526 POPULATING ONLINE FORUMS

07-23-  
2008::17:31:19**Patent Term Adjustments**

Patent Term Adjustment (PTA) for Application Number: 09/788,526

Filing or 371(c) Date:	02-21-2001	USPTO Delay (PTO) Delay (days):	957
Issue Date of Patent:	-	Three Years:	-
Pre-Issue Petitions (days):	+0	Applicant Delay (APPL) Delay (days):	36
Post-Issue Petitions (days):	+0	Total PTA (days):	921
USPTO Adjustment(days):	+0	Explanation Of Calculations	

**Patent Term Adjustment History**

Date	Contents Description	PTO(Days)	APPL(Days)
05-06-2008	Mail Notice of Allowance	89	
05-05-2008	Notice of Allowance Data Verification Completed	↑	
05-05-2008	Document Verification	↑	
10-13-2007	Date Forwarded to Examiner	↑	
10-13-2007	Date Forwarded to Examiner	↑	
10-07-2007	Request for Continued Examination (RCE)	↑	
10-13-2007	DISPOSAL FOR A RCE/CPA/129 (express abandonment if CPA)		
10-04-2007	Workflow - Request for RCE - Begin		
09-07-2007	Mail Advisory Action (PTOL - 303)		
09-06-2007	Advisory Action (PTOL-303)		
08-22-2007	Date Forwarded to Examiner		
08-21-2007	Amendment after Final Rejection		
08-10-2007	Mail Final Rejection (PTOL - 326)		
08-06-2007	Final Rejection		
05-17-2007	Date Forwarded to Examiner		
05-14-2007	Response after Non-Final Action		
02-15-2007	Mail Non-Final Rejection		
02-13-2007	Non-Final Rejection		
11-30-2006	Date Forwarded to Examiner		
11-17-2006	Response after Non-Final Action		
08-24-2006	Mail Non-Final Rejection		
08-21-2006	Non-Final Rejection		
07-17-2006	Request for Refund		
06-16-2006	Date Forwarded to Examiner		
06-12-2006	Response after Non-Final Action		
03-20-2006	Mail Non-Final Rejection		
03-17-2006	Non-Final Rejection		
03-03-2006	Date Forwarded to Examiner		
03-03-2006	Date Forwarded to Examiner		
02-21-2006	Request for Continued Examination (RCE)		3

03-03-2006	DISPOSAL FOR A RCE/CPA/129 (express abandonment if CPA)		↑
02-21-2006	Workflow - Request for RCE - Begin		↑
02-01-2006	Mail Advisory Action (PTOL - 303)		↑
01-30-2006	Advisory Action (PTOL-303)		↑
01-18-2006	Date Forwarded to Examiner		↑
01-06-2006	Amendment after Final Rejection		↑
11-18-2005	Mail Final Rejection (PTOL - 326)		↑
11-14-2005	Final Rejection		
08-31-2005	Date Forwarded to Examiner		
08-08-2005	Response after Non-Final Action		2
08-08-2005	Request for Extension of Time - Granted		↑
05-06-2005	Mail Non-Final Rejection	66	
05-03-2005	Non-Final Rejection	↑	
02-25-2005	IFW TSS Processing by Tech Center Complete	↑	
02-25-2005	Date Forwarded to Examiner	↑	
11-01-2004	Response after Non-Final Action		31
11-01-2004	Request for Extension of Time - Granted		?
07-01-2004	Mail Non-Final Rejection	802	
06-28-2004	Non-Final Rejection	↑	
04-05-2004	Case Docketed to Examiner in GAU	↑	
07-19-2001	Case Docketed to Examiner in GAU	↑	
06-21-2001	Application Dispatched from OIPE	↑	
03-22-2001	Application Is Now Complete	↑	
03-21-2001	Correspondence Address Change	↑	
03-12-2001	IFW Scan & PACR Auto Security Review	↑	
02-21-2001	Initial Exam Team nn	↑	

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